

**Pinedale Anticline Working Group**

**FINAL**

**Meeting Minutes**

**1 pm, Thursday, May 6, 2010**

**Rendezvous Room**

**Pinedale Field Office**

**Action Items**

- Check with Allison Sandoval on status of charter
- Post map of wildlife exceptions on web
- Clarify process/roles/connection of PAWG, PAPO, PAPO Board, BLM, FM
- Prepare Federal Register notice for rescheduled meetings/field tours
- Prepare and request submittal of subgroup template
- John Ruhs to meet with other agencies on public involvement
- DFO Monthly Updates

**In Attendance**

PAWG Members

Cathy Purves (Chair/Environmental), Bart Myers (Sublette County), Kevin Williams (Oil and Gas Operator), Nylla Kunard (Town of Pinedale), Scott Smith (State of Wyoming), Gary Rees (Public-at-Large), Jackson Schwabacher (Adjacent Landowner via phone). Absent: Paul Hagenstein (Livestock Operators), vacant (public-at-large).

PAWG Task Group Members

Jocelyn Moore (Water Resources), Clint Gilchrist (Cultural/Historical), Tony Gosar (Water Resources).

BLM

Brian Davis (BLM PFO FM/DFO) John Ruhs (BLM HDD DM), Dave Crowley (BLM), John MacDonald (BLM), Lorraine Keith (BLM), Shelley Gregory (BLM), DeeJ Brown (PAPO), Jeannine Strenk (PAPO Intern).

Public

Sandy Wise, Linda Baker, Stephanie Kessler, CJ Skinner, Tim Lingle, Pete Guernsey, Mary Lynn Worl, Bill Winney, Lloyd Dorsey, Pat Aullman, Don Maruska (consultant)

Press

Derek Farr (Sublette Examiner), Dawn Ballou (Pinedale Online), Kaitlyn McAvoy (Pinedale Roundup)

The meeting was called to order at 1:05.

**Approval of Previous Minutes**

Kevin Williams motioned to approve the minutes as amended to show Jackson Schwabacher's participation via phone. Bart Myers seconded. All in favor.

## Field Office Report

Brian Davis updated the PAWG on the status of the charter, which has entered the surnaming process. The Federal Register call for nominations has also cleared state approvals and is now in Washington.

Dave Crowley gave an update on the Lander Road variant through the Pinedale Anticline Project Area (PAPA). The programmatic agreement is with the solicitor. An adaptive management (AM) proposal was presented for a new quarter-mile no-surface-occupancy buffer (removes three square miles from disturbance) to the new variant of the Lander Road with one new well pad within the buffer. There are no wildlife issues in the buffer area.

Kevin Williams motioned to recommend that the BLM approve the new quarter-mile no surface occupancy buffer. Scott Smith seconded. All in favor.

Lisa Solberg discussed wildlife exceptions on the PAPA for big game and sage grouse...there are more issues with raptors. Some exceptions are for alternate areas to avoid other wildlife issues.

## Key Topic

Don Maruska opened a discussion on moving the PAWG forward by enhancing public information and making the PAWG more productive. Presented *“Moving Forward” powerpoint, attached*. Cathy Purves asked for examples of how the process would be different and more effective. In terms of task groups, Cultural/Historic would move forward as a subgroup and a Reclamation subgroup would be formed when triggered, since they are topics over which the BLM has responsibility. Other task groups would be absorbed into the PAWG itself as Key Topics. John Ruhs stated that the BLM was committed to supporting the PAWG but that commitment from management would need to step up. Brian Davis added that PAWG compliance with the Federal Advisory Committee Act (FACA) was tenuous – task groups are not FACA, representation on task groups is not always balanced, and that the PAWG, not task groups, should make recommendations.

Tim Lingle asked how the PAWG is related to the Pinedale Anticline Project Office (PAPO) – how do they work together? Don Maruska replied that the PAWG exists to give advice to the BLM. The BLM is a piece of the PAPO as well as other agencies. PAWG advice goes to the BLM which then has to work with other PAPO agencies to implement recommendations. Linda Baker contributed that the PAWG sets goals and objectives for monitoring and mitigation but that the PAPO also reviews some of these things – this can be redundant, running along two parallel streets. Stephanie Kessler dittoed the confusion – how does it tie into AM and who ensures that AM is working? John Ruhs explained that the Record of Decision (ROD) is the BLM’s and that the ROD also created the PAPO. The PAPO is separate and does similar things but doesn’t give advice to the BLM. Brian Davis added that while the PAWG is the voice of the public, the PAPO is not. Jocelyn Moore pointed out that PAPA activity is because of BLM permitting and that the PAPO mitigates and monitors but that everything still goes to the Field Manager (FM).

Tim Lingle raised the issue that PAPO funds are being spent without going through the PAWG (for conservation easements). Brian Davis responded that industry has similar concerns and that somehow that PAWG must have a connection to the PAPO Board. Bill Winney opined that the PAPO is an interdisciplinary task force with money, that the PAWG has a public advisory role, but that both work through the FM. John Ruhs stated that PAPO communication and outreach needs improvement. Linda

Baker reiterated that task groups forward recommendations to the PAWG, which then forwards them to the BLM, which then implements monitoring and mitigation, sometimes through the PAPO. She then asked how “coordinate” is defined in the ROD, whether the public/PAWG can be involved before the PAPO spends money, and how to measure the results of mitigation. Scott Smith added that there are concerns about public involvement – even though the BLM is not the lead, it still has responsibility because of drilling. Don Maruska replied that focal topics of PAWG meetings will give voice to the public and the PAWG can provide a forum for other agencies and the public to interface. Jocelyn Moore claimed that the BLM was responsible for water because of FLPMA and that the RMP and SEIS had failed to anticipate changes in the area which were affecting water. She also requested that the PAWG retain the Water Resources Task Group, that testing methodology be revised, and that the AM process be utilized.

Clint Gilchrist asserted that the task group revamp would eliminate the ability of the PAWG to generate issues, that just because a task group can’t do an agency’s job doesn’t mean it shouldn’t exist, and that lawsuits result from a lack of public input. He also asked if concurrence of the DFO for task groups was a new requirement. Brian Davis responded that it wasn’t – the language is in the PAWG charter and is standard for all FACA groups.

After several members of the public expressed concern over the reorganization limiting public involvement, John Ruhs offered to work with other agencies on a larger scale in order to develop a forum for public input on issues outside of the PAWG. Stephanie Kessler stressed the need to involve the public in developing solutions.

Per the recommendations of Don Maruska (*powerpoint*):

- Boost PAWG Effectiveness – *PAWG concurs*
- Strengthen PAPO Performance – *PAWG wants clarification of BLM,PAPO, and public roles and responsibilities*
- Improve Public Information and Understanding – *PAWG concurs*
- Focus Any PAWG Subgroup – *PAWG does not want to move forward in regards to subgroups until District Manager and public have time to explore alternatives with other agencies on key topics of concern*

Bart Myers motioned to invite all task groups to fill out a subgroup template consistent with PAWG’s advisory role in preparation for the next meeting. Scott Smith seconded. All in favor.

## **PAWG Schedule**

In accordance with the “Boost PAWG Effectiveness” recommendations, the PAWG rescheduled its meetings as follows:

The June 24, 2010, July 22, 2010, August 26, 2010, September 23, 2010, and October 28, 2010 meetings have been cancelled. The PAWG will instead meet on the following dates: August 13, 2010, November 4, 2010, February 3, 2011, and May 6, 2011, beginning at 9 a.m. MST. Two field tours have been scheduled for August 12, 2010 and May 5, 2011 beginning at 9 a.m. MST to be followed by tour debriefs.

**Key Topic for Next Session: Wildlife**

The Draft Avian Management Plan will be available at the November 4, 2010 PAWG meeting.

The PAWG would like to see the August 12, 2010 field tour cover:

- Mitigation/ Raptor platforms
- Prey Density/Vegetation
- The River Corridor
- Liquid Gathering System
- August Wildlife Issues
- Wildlife Fencing on Well Pads
- Fisheries/Boat Ramp
- Problematic areas needing PAWG input
- Other wildlife topics of public interest

**Public Comment**

The meeting was opened for additional public comment. There were no comments.

Gary Rees motioned to adjourn at 5:30 pm. Kevin Williams seconded. All in favor.